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## SUPREME COURT.

TITUS F. CRONISE,	}	July Term, 1864.	
vs.		No. 4.	
ESTELLA (sometimes called ESTELLINA)		}	<i>In Equity.</i>
CRONISE, formerly ESTELLA DALLETT, and HENRY C. DALLETT.			

### COMPLAINANT'S TESTIMONY.

Examination of witnesses before GEORGE BULL,  
*Examiner.*

Pursuant to notice, a meeting was held in the above cause on Thursday, December 1st, 1864, at 4 o'clock P. M., at No. 226 Walnut street, in the City of Philadelphia. Present, GEORGE M. WHARTON, Esq., and W. H. DRAYTON, Esq., for the complainant, and W. A. PORTER, Esq., and Mr. HEMP-HILL, for the respondents.

The complainant's counsel offer in evidence a copy of the petition to the Legislature of Pennsylvania of Mrs. Estellina Cronise, dated the 9th day of March, A. D. 1864, marked "A."

The affidavit of Mr. Henry C. Dallett, dated the nineteenth day of March, A. D. 1864, marked "B."

[NOTE.—These are private copies, not exemplified.]

Cornelius T. Myers, a witness, produced, sworn, and examined on the part of the complainant, says :

I live in New York ; Philadelphia is my native place, however. I am thirty-five years of age. My address in New York is 67 Liberty street. I am in the chandelier business. I know Mr. Titus F. Cronise ; have known him about six years. I knew his wife, formerly Miss Dallett, only by sight. I know his brother, J. S. Cronise, very well. I accompanied Mr. J. S. Cronise to Harrisburg in the spring of 1864—that is, I followed him in the next train, and met him in Harrisburg. I think it was from the 20th to the 25th of April, 1864, but I cannot say positively. I went at the request of Mr. J. S. Cronise. I attended a Committee of the Senate. I think it was a Committee on the Judiciary. I went before the Committee alone. Mr. J. S. Cronise did not attend with me. Mr. Titus F. Cronise was not there ; I did not see him. The proceeding was to inquire why Mrs. Cronise should not be divorced from her husband, Mr. Titus F. Cronise. I was then engaged in the same business as at present. The gentleman who appeared on behalf of Mrs. Cronise I learned at the time to be Mr. John Hickman. I think he was the only one. I attended the Committee only once. I presented a memorial, or petition. (Witness handed paper marked “C”—was asked whether that was a copy of the memorial which he presented to the Committee—answered,) It is. It is printed. I had it printed in Harrisburg. The original copy from which this was printed was left with the Committee. The printed copies were distributed among the members of the Senate. (Being handed paper marked “D.”) I think this is the accompanying paper which is referred to in the printed memorial. I was before the Committee between twenty and thirty minutes. The bill came up in the Senate from one to two days after I attended the meeting of the Committee. I was in the Senate when it passed. I think it was before the first of May, but I am not certain. It was the day before the Governor signed the bill. Jacob S. Cronise, brother of Titus Cronise, lived at that time at No. 66 West Twentieth street, New York.



*Cross-examined.*—I live in New York at present. My place of business is 67 Liberty street; my residence is at 26 Ervine Place. The firm name is C. T. Myers. I am doing business by myself. I believe Mr. J. S. Cronise's business is that of a bullion broker. It was that in April last, I believe. He was in New York when he requested me to go to Harrisburg. I think I went directly to Harrisburg. (Witness corrects his testimony, and now says:) I came to Philadelphia. He did not request me to come here to Philadelphia. I stopped here to see my family. He may have done so, but I do not now recollect. I think I arrived in Philadelphia on the day preceding my departure for Harrisburg. I do not think he came from New York with me; I do not recollect that he did. He was in Philadelphia while I was here. I think Mr. Cronise came over from New York on the same evening that I did, but on another train. I consulted counsel here. I think I heard him (Mr. Cronise) say that he consulted counsel also. We met counsel in Harrisburg. Mr. Cronise went to Harrisburg in the afternoon, and I went in the evening. I suppose I remained in Harrisburg altogether about a week or ten days, but at different times. Mr. Cronise remained there a day, or probably two days. I am not aware that he attended before the Committee, or in the House; I do not think he did. The counsel attended before the House Committee, so I understood. I attended before but one Committee. I visited Harrisburg on this business I think three or four times. I think I saw counsel there but once, perhaps twice. I think I saw Mr. Hickman there for two days, at the time of my last visit. I do not think I declined to inform Mr. Hickman who I was. I don't think I ever exchanged a word with Mr. Hickman. I do not think he asked me my name or business. I printed the memorial marked "C" at the request of Mr. J. S. Cronise. It was printed at Harrisburg. He was not there then. I addressed the Committee. No one else addressed the Committee except the gentleman I believe to be Mr. Hickman. This was my first experience before a Legislative Committee. I have never been a member of the bar. I represented Mr. J. S. Cronise on that

occasion merely from friendship. Some time after Mr. Cronise made me a present, in a pecuniary form, for my expenses in doing the business. My remarks before the Committee merely consisted in presenting the papers to the Committee. The paper marked "D" was the same paper before the Committee, and was handed back to me at that time. I think Mr. Cronise accompanied me on my first visit. I know that Mr. Cronise did not attend the Senate Committee. I do not know whether he attended before the Committee of the House or not. I am not certain, but I think the House Committee was sitting at the time Mr. Cronise was in Harrisburg. I think it was the second meeting of that Committee. I do not think Mr. Hickman was present at more than one meeting of the Committee; I did not see him.

*Re-examined.*—Mr. Cronise had heard from a friend in Harrisburg that application had been made for a divorce. He heard it from Harrisburg or elsewhere. When I got to Harrisburg I learned that the House Committee had approved the application—or had reported favorably to the application. We learned that the Committee had reported favorably before we went to Harrisburg, and that the Committee were about to meet again to reconsider their former action. My visits that I have spoken of were between that point of time and the signing of the bill. The time of my first visit to Harrisburg was between the twentieth and twenty-fifth of April, or about that time. I also presented to the Committee, with the memorial of J. S. Cronise, one or more letters from Titus Cronise to his wife, including a draft on Wells, Fargo & Co. for money, for thirty odd dollars in gold. The Committee said that it would consume a great deal of time to examine the letters and affidavits which I presented, and they thought they understood the case. I commenced to read the papers, and while I was reading the papers I was interrupted to a certain extent, not rudely, but by a sort of stir in the Committee, and they said it would consume too much time to listen to the reading of the whole of them. It was growing dark. I left the papers with them.



*Cross-examined.*—The counsel whom Mr. Cronise and myself consulted were Mr. Henry M. Phillips and Mr. Wiel. I do not know whether Mr. Phillips was then retained, or whether he had been previously retained.

C. THEO. MYERS.

Sworn to and subscribed before me this }  
first day of December, A. D. 1864. }

GEO. BULL, *Examiner*.

Adjourned to meet on Thursday, the 8th day of December next, at 4 o'clock, P. M., at same place.

Now, to wit: Thursday, 8th day of December, 1864, at 4 o'clock, P. M., met pursuant to adjournment. Present, Messrs. WHARTON and DRAYTON for complainant, and W. A. PORTER, Esq., and Mr. HEMPHILL for respondent.

Jacob S. Cronise, a witness produced, sworn and examined on the part of complainant. (Objected to by Mr. PORTER as incompetent, inasmuch as the bill seems to have been filed by him for his brother, and he is thus, to some extent, a party to the record.) Witness says :

I live in the city of New York, and am, by occupation, a dealer in bullion and specie. I know Titus F. Cronise ; he is my brother, ten years younger than myself, he being about 33 years of age. He lives in the city of San Francisco. He sailed for California on the 11th of February, 1861, from the city of New York. He had been there once or twice previously, and had lived there, I think, between two and three years. My brother William has lived there since 1850. Latterly he (William) has been engaged in the importation of East India goods. He is now engaged in buying and selling mining stocks. Titus Cronise is the financial editor of a leading commercial newspaper, I forget which. Titus was married to Miss Dallett in Philadelphia, on the 29th day of November, 1860. He was engaged to her previously, not less than six, and perhaps twelve months, and had known her for some two or three years.

He then lived in Philadelphia, and was engaged in the bank note and specie business. He was in financial difficulties—I think it was between the date of his engagement and the date of his marriage. Miss Dallett's father is Mr. Henry C. Dallett. I should say those pecuniary difficulties were known to Mr. Dallett before my brother's marriage to his daughter. Mr. Dallett and myself met at the Franklin House, on Chestnut street, with reference to my brother's difficulties. That was before the marriage—I think it was all of six months before that. My brother wished then to suspend. Whether he said so to us jointly I cannot say, but he certainly said it to me, and my impression is that he said it to both of us. It was agreed that Mr. Dallett and myself should advance him certain money—I think about five thousand dollars each. I think that was done—it certainly was by me. His main losses occurred immediately after the election of Mr. Lincoln, by large operations, on Titus's part, in stocks. This was within a couple of weeks before the marriage and a week or so after. He failed, and suspended business on the 22d day of December, 1860. He owed me nearly four thousand dollars. After his failure he continued to reside with Mr. Dallett until about twenty-four or forty-eight hours before the time he sailed from New York. To the best of my knowledge he had no money when he went away—I am satisfied he had none. He sailed in one of the regular California steamers, by way of Panama. My brother's habits as to temperance and purity of character were unimpeachable in every respect. On the 6th of April, 1864, I first heard of the suit for a divorce before the Legislature of Pennsylvania. I heard it by letter from Mr. Henry D. Moore. I can't recollect from what place the letter was written. I went to Harrisburg on the eighth, two days following. I came to Philadelphia, and either went with Mr. Weil, Mr. Phillips's assistant, to Harrisburg, or met him there. When I arrived in Harrisburg the Committee of the House had already reported favorably upon the bill. I saw the Chairman of the Committee, and desired the bill to be recommitted, to give us time to produce testimony. The bill was recommitted to the Committee,



and I submitted my memorial. I saw the Chairman of the Committee, who told me that it had been pushed through the Committee against his protestations. Another member of the Committee told me the same thing. They said they were opposed to such hurried proceedings in such a matter, and they would do all they could to give me time to produce testimony. They did not give me a hearing as a Committee. The memorial I handed to them was similar to the one handed to the Senate Committee. When I heard of this I telegraphed to my brother in San Francisco, stating the grounds on which they had applied. He answered me by telegraph, denying the allegations. I handed it to Mr. Weil. I made a second visit to Harrisburg, and Mr. Myers and Mr. Weil were with me. I am not clear as to my having made a second visit. (Witness handed paper marked "D." Says :) That was the memorial handed to the Senate Committee. I was not in Harrisburg when it was presented. I did not see any of the members of the Senate Committee. I had, previously to my first visit to Philadelphia, employed Mr. Henry M. Phillips, of Philadelphia, for the purpose of notifying me of any steps that might be taken in procuring a divorce. When I heard of this matter in Harrisburg I went to him, having previously spoken to him, as I have before said. Mr. Weil was an assistant in his office in Philadelphia. Mr. Phillips did not go to Harrisburg. The employment of Mr. Phillips and Mr. Weil was my own act entirely. I know that after my brother went to California he corresponded with his wife, because the last letter she wrote to him he forwarded to me. I saw it about October, 1862. It was written but a few months before I saw it. I returned that letter to my brother in California, at his request. I received a package by Wells, Fargo & Co.'s Express—that is to say, they notified me in New York that there was a package at their office addressed to one of my name. I saw the package; it was addressed to Mrs. Estellina Cronise, at Philadelphia. I wrote to Mr. Henry C. Dallett that I had such a package, describing it. That was in the spring of 1863, in April, I think. The letter was returned to me in a different envelope

from the one in which I enclosed it. The new envelope was addressed to me in New York, but not in Mr. Dallett's handwriting. In consequence of my brother's failure I became responsible to Mr. Dallett, on some of my drafts on my brother, to cover the latter's over-drafts, to the amount of about thirty-three hundred dollars. I paid them subsequently, as soon as I was able, principal and interest.

*Cross-examined.*—This Bill in Equity was signed by me for my brother. I employed Mr. Phillips; also, I subsequently employed the counsel in the present case. (Witness shown paper marked "C." Says :) I signed this memorial. I caused it to be printed. It was done by Mr. Myers, in Harrisburg, under general instructions from me. In the early part of the spring of 1863, hearing that my brother's wife had ceased to correspond with him, I consulted Mr. Phillips. I did this on my own responsibility, without any directions from my brother. I think I informed my brother that I had done so, but I cannot be positive. My impression is that the meeting at the Franklin House took place late in the winter or early in the spring of 1860. I think my brother was present at that meeting for a part of the time. At the meeting my brother said that he was in difficulty, and was behindhand about ten thousand dollars. This was when Mr. Dallett was present. The meeting was not arranged by me. To the best of my recollection, Mr. Dallett proposed to advance the five thousand dollars. This was about six months before the marriage. I lived in New York during all this time.

Question. How then can you, being in New York, speak of the propriety and purity of your brother's conduct and acts here in Philadelphia?

Answer. I know how strictly we were raised, by plain country people; how he deported himself with me during several years of his life in New York; my intimate knowledge of his mental and moral character, and that he had no proclivities to any vice. He also lived with me here in Philadelphia; or, I mean to say, we were in business together here in 1856-7 and 8, and



I saw all of his daily life. I have no other reasons for stating what I have in regard to my brother's habits.

The first arrest of my brother must have taken place very soon after his failure, which took place about the 22d of December, 1861. The Farmers and Mechanics' Bank and other parties brought suit against him, and had him arrested. I simply heard of this; I did not know of it. I had no knowledge that my brother was in New York at the time he sailed. He sailed without my knowledge. I met Mr. Myers in Harrisburg. My impression is that I was there twice. Mr. Myers and Mr. Weil were both there when I was there. I got there on Saturday evening, and left there on Monday. I never attended before the Committee. I did not see Mr. Hickman there, to my knowledge. Mr. Bergwin was Chairman of the House Committee. I sold the draft of which I have spoken to Dallett & Bliss, of New York. I think it was on the day of his failure. It must have been as early as ten or half after ten. It was before I heard of his failure. I do not remember that I called at the house of Messrs. Dallett & Bliss to offer the draft for sale, but I may have done so. I either did so, or word was sent to them to that effect. I had heard the previous day from my brother. It was either the day before or on that day. It may have been on the morning of his failure. I have the letter here now, and I am sure I received it on the morning of his failure. This letter contains no intimation whatever of his probable failure on the morrow.

J. S. CRONISE.

Sworn to and subscribed before me this }  
8th day of December, A. D. 1864. }

GEO. BULL, *Examiner*.

Adjourned to meet at 12 o'clock M., on Saturday, 17th day of December next.

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Now, to wit: Saturday, 17th December, 1864, by agreement of counsel, the meeting was adjourned to Thursday, December 22d, 1864, at 4 o'clock P. M.

Now, to wit : Thursday, December 22d, 1864, met, pursuant to adjournment, at 4 o'clock, P. M. Present, Messrs. WHARTON and DRAYTON for the complainant, and WM. A. PORTER and Mr. HEMPHILL for the respondents.

Henry A. Fleming, a witness, produced, sworn and examined on the part of the complainant, says :

I reside in the city of New York. Have resided there nearly four years. I am a broker. My place of business is at No. 27 Wall street. I was in the employ of Messrs. Dallett for about four years. I left them about the year 1850. After that date I remained out of employment about one year, until 1851. In the year 1851 I went to the college, about twelve miles from the city, called " Villanova." I remained there between two and three years. I was there preparing for the Roman Catholic Seminary in this city. When I left Villanova I came to the latter Seminary, in this city. I was at the Seminary preparing for the priesthood. I left there before I was through. I left there to assist in the support of my family. I went into business with Cronise & Co. about September, 1856, in this city. The firm, when I first went into it, was composed of Mr. Billings, of Bridgeport, Conn., J. S. Cronise, his brother, Titus Cronise. Mr. Billings went out of the firm first. Afterwards, Mr. J. S. Cronise left the concern, leaving Titus Cronise alone carrying on the business. Our business was that of general brokers. I was a clerk in the house, and had charge of the specie department. I had known Titus Cronise for eight or ten years before I went with him ; our families were connected by marriage. I continued with him until a few days after his failure. I had known him intimately for over four years, during the time I was with him. I am now thirty-eight years of age. Titus Cronise was a little younger than myself ; probably about a year. I should describe his morals while I was with him as exemplary. I regard him as a man of very correct habits. I introduced Titus Cronise to Miss Dallett, whom he afterwards married. This was within a year after I left the Seminary. They became engaged some time in the



year of 1859—in the summer of that year. They must have been engaged for at least fifteen months before they were married. During his engagement he was doing a fair amount of business. After his engagement, and before his marriage, he got into pecuniary difficulties. He was in difficulties in '59 and again in '60. His brother in New York assisted him, and Mr. Henry C. Dallett assisted him once to my knowledge. He was married in November, 1860. After his marriage he went to Mr. Henry C. Dallett's house to live. He failed on the 22d of December, 1860. I don't know the cause of his failure, except in a general way; he had made losses. I only remained in his office a few days after his failure. I left him and went to New York. He continued to live with Mr. Dallett until he went away. He went away on the 11th of February, 1861. I saw both him and his wife frequently after his failure. Once or twice, at Mr. Dallett's house, in Philadelphia, I heard Titus Cronise speak to his wife and myself of his going away; that it might probably be necessary for him to go away, or to that effect. He spoke of California; about going to his brother, who lives there. I asked Mrs. Cronise if she would like to go with her husband, on one occasion. She answered to this effect: That she was willing to go anywhere with her husband, but not against the wishes of her parents; that she would never disobey her parents. I was in the habit of seeing them after their marriage and before his departure. I was an old friend of the family.

1. Q. On what terms did they live together, as man and wife, to the best of your knowledge—affectionate or otherwise? and how did they deport themselves each to the other?

A. As far as I saw they were affectionate and kind to one-another. I should suppose they were on the best of terms.

The few days that I remained in Philadelphia, after the failure, I saw no change.

2. Q. In introducing Titus Cronise to Miss Dallett, what representations, if any, did you make concerning him?

A. I represented him as a friend of mine, for whose respectability and character I could vouch, as a proper person to visit at their house.

I made no representations about his pecuniary means either at that time or before his marriage. The subject was never broached by me. Mr. Dallett did not come very often to Mr. Cronise's office, but paid him an occasional visit. Mr. Dallett's sons frequently stopped in. I went once to Harrisburg on the subject matter of the pending divorce between Titus Cronise and his wife. I think I went at the request of Mr. Phillips, and certainly at the request of Mr. J. S. Cronise. I went only once. I met Mr. Myers there. He had been there some time. The afternoon I reached there I think the bill had just passed the Senate. I did not appear before any body or person in Harrisburg about the divorce. At the time I went to Harrisburg I was the partner of J. S. Cronise, in New York. J. S. Cronise is my brother-in-law; he married my sister. I went to Harrisburg expecting to be examined by somebody, I did not know who. I expected that I should be useful. I went there as a friend, and not professionally. I have not seen Titus Cronise since I left Philadelphia. I have corresponded with him constantly, both privately, as my friend, and with the House. His letters come from San Francisco. His last letter was dated about two months ago. Titus Cronise sailed from New York. He left in the steamer of the 11th of February, 1861. I know that fact from having seen Mr. James Dallett on that morning, who said he had just come from seeing Mr. Cronise off. (Objected to by Mr. PORTER.) It takes about twenty-three days for a letter to come from San Francisco to New York by the shortest route—I mean by steamer, by way of the Isthmus. The first letter I received from him was dated at San Francisco, in April, 1861.

*Cross-examined.*—I became Mr. J. S. Cronise's brother-in-law, about eighteen years ago. I commenced visiting Mr. Dallett's family about 1848; I introduced Titus Cronise, within a year after I left the Seminary, to Miss Dallett; I had known Mr. Cronise for ten years before that time; it was at my own suggestion that I introduced Mr. Titus Cronise to Miss Dallett; I frequently visited the house with him. Between the date of his failure and the time of his leaving, I saw Titus at Mr.



Dallett's house five or six times; I cannot describe at which visit it was that his trip to California was spoken of, further than that it was one evening; at the time it was spoken of, there might have been others in the room besides Mr. and Mrs. Cronise and myself; if there was, I do not recollect it; we were apart from the others if there were any others there; I cannot tell what he said to her or what she replied; he said it might be necessary for him to go away, or to leave the city; but he thought he could do better in California than he could in New York. Then, as nearly as I can remember, I turned to his wife and asked how she would like to go with him. This was after his arrest; I was arrested also; I only knew of his being arrested once; I was released immediately, and he was detained. He was not taken before a court on that occasion. There was a trial before court before my departure, and after the arrest I have spoken of. I can't remember whether the conversation I have referred to was before or after the proceeding in court. When we were taken before an alderman, it was upon a suit brought by Rowland & Irwin. They had sold us some gold for which we gave our check. The check was presented at bank, and they were told it was not good. The check was returned to us on the next business day. Drexel caused an arrest to be made, too, shortly after—a few days; I think the difficulty with Drexel was about some Exchange. We sold Exchange to Drexel and to various parties. The Exchange came back protested; I do not know to what amount. There were several persons who brought suit. Besides Drexel, the Farmers and Mechanics' Bank brought suit. The trouble at the bank was that our account was overdrawn there on the day of the failure. There was a bank in Pittsburg that brought suit; I don't know exactly what the charge of the Pittsburg Bank was, except they claimed that we owed them money. All I know about it was that they were in the habit of sending us gold for sale. Johnston & Co., of Baltimore, brought suit; I do not know what was the nature of their claim. I did not make my deposition in Harrisburg; I made my deposition before I went to Harrisburg, and it was sent on and used

a few days before I went there. It was sent up by mail to Mr. Weil. It was about the 26th, '7th or '8th of April, 1864, that I visited Harrisburg. I was requested to go there by Mr. J. S. Cronise, of New York. I don't know what I was to do. In a general way, I was to put myself under the directions of Mr. Weil. My affidavit was in reply to an affidavit of Mr. Dallett and his daughter; I presume they are the ones attached to the bill. I did not go to Harrisburg at my own expense; Mr. Titus Cronise has remitted the amount of my expenses since.

H. A. FLEMING.

Sworn to and subscribed before me this twenty- }  
second day of December, A. D., 1864. }

GEORGE BULL, *Examiner*.

Edward H. Weil, a witness produced, sworn and examined, on the part of the complainant, says :

I am a member of the Bar, in the City of Philadelphia; I have my office in connection with Mr. Phillips; Mr. Phillips was employed by Mr. J. S. Cronise, of New York; I acted at the instance of Mr. Phillips; I went up to Harrisburg on several occasions; the first occasion was in the early part of April, 1864; I went up in the afternoon, and arrived there at night. The Bill had been reported to the House by the Committee on Divorces, with a favorable recommendation, when I arrived there. That I believe was the state of the case when Mr. Phillips got notice of it. As soon as Mr. Phillips got notice of the case he sent me up. Mr. Phillips got word of it from Mr. J. S. Cronise. I am under the impression that Mr. Cronise first telegraphed and then wrote. (Witness shown paper marked "E," says:) This, I believe, is the telegram received by Mr. Phillips. When I got to Harrisburg, I saw Mr. Cochran, of Philadelphia, who, I understood, had charge of the Bill. I asked him, as a favor to Mr. Phillips, to loan the papers to Mr. Phillips, as I had not time to copy them, having myself left a



case in court unfinished, and as it was necessary for me to be in court again next morning. I also had the promise from Mr. Cochran, that nothing further should be done in the matter, I think, until Mr. Phillips could see him. The next morning being Friday, and Mr. Cochran saying that he would probably be down to Philadelphia on Saturday, the papers were returned to Mr. Cochran by myself on Saturday, those papers being the petition of Mrs. Cronise for a divorce, some affidavits on her side, transcripts of warrants of arrests, and other charges made against Mr. Titus Cronise. I went up again to Harrisburg; had an interview with Mr. Bergwin, Chairman of Committee on Divorces, and I think one or two other members of the Committee, representing to them that this was the first intimation Mr. Titus Cronise, or any of his relatives, had of the application, and begged that the bill might be referred back to the Committee. Mr. Bergwin stated that he was opposed to the action of the Committee; that he believed that sufficient ground did not exist for granting the divorce; and, even if this ground did exist, he believed the Courts had and the Legislature had not the power (objected to by Mr. Porter). I stated that I thought, in common justice, the Respondent should have notice, and have time to prepare his answer, and bring his proofs, if he had any. Mr. Bergwin moved in the House that the bill be referred back to the Committee, and it was so ordered; I was present at the time. He told me to obtain all the evidence I possibly could, to deny the charges in the bill, and said, if it were in his power, the Respondent should have ample time; but that it could be called up in Committee at any time, and to do the best I could. I received notice—I do not now recollect in what manner—that the bill would be called up in the Committee on a certain evening, after the House had adjourned. Probably a week after I returned from my second visit—but I am not positive as to time—I caused the affidavit of Mr. J. S. Cronise to be prepared; took up some letters and papers, and I believe the affidavit of Mr. Fleming was to be sent to me at Harrisburg. The Committee held the meeting on the evening appointed after the

adjournment of the House, about 10 o'clock, I believe, in the evening. Mr. HEMPHILL, and Hon. JOHN HICKMAN, of West Chester, appeared on the part of the petitioner. I think two members of the Committee were absent. The Committee, I believe, consisted of thirteen. The Committee, by vote, said they would hear the counsel present. I read the papers I had brought with me, and urged against the bill; I urged that no notice had been given to Mr. Titus Cronise; that the bill had been presented at a very late day in the session; that it was through the information of a friend that Mr. J. S. Cronise had accidentally heard of the pending application; that I had not sufficient time to prepare a defence; that upon the face of the petitioner's allegations no sufficient ground was shown for the divorce, and that, if ever there was, the courts had full jurisdiction. It was urged on the other side, that Mr. Titus Cronise having committed certain offences, which they alleged the papers presented to the Committee showed, and having left for California, that although the offences charged did not amount to a felony, yet the case was within the spirit of the Act of Assembly, though not within its letter, and that not being within the letter, and the courts thus not having jurisdiction, it was such a case that the Legislature should interpose. I also forgot to mention—and it now occurs to my mind—that one of the reasons urged was the fraud alleged by the petitioner to have been perpetrated upon herself and family, in the representations made by Mr. Titus Cronise, before his marriage, of his wealth. They did not urge or suggest that notice had been sent to Titus Cronise, or to any of his family. The hour being very late, they adjourned over to the next morning; and the next day, by a vote, I think of six to five, postponed action for some short time—several days anyhow. They afterwards met and agreed to report the bill favorably. I do not think I attended the Committee in a body again. I saw several of the members afterwards again, I think, before the report was made to the House. My appeal for time was not allowed; I failed in that. I never went before any other committee of either House. My impression is that Mr. Phillips had been spoken



to by Mr. J. S. Cronise, previously to this time, to see if there was any application pending in the Courts. (Respondent's counsel objected to this mode of proving what took place before the Committee, and to the conversations between Mr. Weil and the members of the Committee.)

EDWARD H. WEIL.

Sworn to and subscribed before me this twenty- }  
second day of December, A. D., 1864. }

GEORGE BULL, *Examiner*.

Adjourned to the fifth day of January, A. D., 1865, at 4 o'clock, P. M.

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Now, to wit: 5th January, A. D., 1865, met pursuant to adjournment. Present, Messrs. WHARTON and DRAYTON for the Complainant, and Messrs. PORTER and HEMPHILL for the Respondents.

Frank C. Clark, a witness produced, sworn and examined, on the part of the complainant, says :

I am a resident of Philadelphia, at 247 south Fourth street, and a manufacturer of bricks by steam. I was formerly in the employ of Mr. Titus Cronise, as book-keeper. I recollect his failure. As near as I can recollect, his books and papers were placed in a box, and I heard him say they were to be sent to his father-in-law's, but I did not see them go. His office was closed for the transaction of business at the time of his failure. Immediately after his failure, I ceased to be in his employ, so far as the emoluments were concerned. I assisted for several weeks in closing up his affairs. As far as I recollect, it was a month or six weeks after his failure that he left Philadelphia. He went to California from the port of New York. I went with him from Philadelphia to New York. I know that he sent over to New York, several days before his departure, and secured a passage ticket from New York to California. I saw him on board the California steamer at New York. One of his wife's brothers was with him in New York just before he sailed. I was in company with both of them to the company's office

near the slip. I don't know who paid his passage. I am almost positive that he sent the money to New York when he sent for a ticket. Mr. James Dallett, Mr. Moss, Mr. Cronise and myself, went down to the slip together in a carriage. The first two left the carriage at the slip, and, after some little delay, Mr. Moss returned alone, and Mr. Cronise and I immediately after went on board the ship. I now recollect that I went aboard the vessel first to see if there was any one there to prevent Mr. Cronise from going on board. While I was on board, Mr. Cronise came on, and I then went on shore. I afterwards returned to the vessel, and talked to him, through a blind, without seeing him. There was a great deal of confusion attending the departure of the vessel. I came on shore, and the vessel started. I saw Mr. James Dallett there when I came on shore, and we conversed generally upon the subject of Mr. Cronise's departure on board the vessel.

*Cross-examined.*—I was in Mr. Cronise's employ in the neighborhood of two or three years. I was not as conversant with his affairs as the position of book-keeper would imply. I never drew off a balance sheet while in his employ. Mr. Foot, who was his book-keeper before I went there, always made out his balance sheets in connection with Mr. Cronise. Mr. Foot is now a clerk in New York. He, Mr. Foot, remained in Philadelphia ten days or two weeks after the failure; he was a native of Connecticut, and went home, his occupation here being gone. I did not know that the failure was imminent, but about one week before it occurred, owing to my absence from the city; I knew it as soon as I reached home. The first arrest took place while I was absent from the city for a day or two. (Objected to by Mr. WHARTON, as not properly cross-examination.) I am living in Philadelphia now.

FRANK C. CLARK.

Sworn to and subscribed before me this fifth }  
day of January, 1865. }

GEORGE BULL, *Examiner*.

Adjourned to meet on Thursday, 19th January, 1865, at 4 o'clock, P. M.



Now to wit: Thursday, 19 January, 1865, the complainant not being ready to proceed, it was agreed to meet again, by appointment, to receive the balance of the complainant's testimony. A further adjournment was accordingly had.

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Now, to wit: Thursday, 2d February, 1865, met pursuant to appointment. Present, Messrs. WHARTON and DRAYTON for Complainant, and WM. A. PORTER, Esq., for Respondents.

Edward A. Moss, a witness produced, affirmed and examined, on the part of the complainant, says:

I reside in the City of Brooklyn; I am a stock broker; I do business in the City of New York; I know Titus F. Cronise; I have known him from four to five years; I saw him in Philadelphia after his failure and before his departure for California. After Titus F. Cronise went to California,—about two weeks after,—I called at the house of Mr. Dallett, in Locust street; I saw Mr. and Mrs. Dallett in a room on the ground floor. They both thanked me in the kindest manner for having sheltered Mr. Cronise, as he stayed at my house in New York, and for having sent him to California without any trouble. My call may have extended some ten minutes, and I left. That Mr. Dallett was Mr. Cronise's father-in-law. Mr. Cronise came to my house in New York, about 10 o'clock in the evening, and stayed all night, and breakfasted with me in the morning. Mr. James Dallett came over in the morning, and breakfasted also, I think, at my house, in company with Mr. Cronise. We all left the house together in a carriage—myself, Mr. Cronise, Mr. Dallett and Mr. Frank Clark, left the house together. We went to the California Steamship Company's dock, near Canal street. When we left the house, Mr. Cronise forgot his wife's miniature; left it under his pillow; my wife found it and went after him, and gave it to him as he was going down the steps; he seemed very much gratified, and shed some tears. I saw him when he went aboard the ship, about 11 o'clock in the morning; the ship sailed at twelve. Previous to

his going away, I took up some Catawissa Chattel Mortgage Bonds, which Mr. Cronise had pledged. When I should have been repaid the advance by Mr. Dallett, Sr., Mr. Cronise requested me to hand the Bonds over to him (Mr. Dallett). Some three months after his departure, I received a note from Mr. Dallett, Sr., requesting me, when next in Philadelphia, to call at his counting-house, South Wharves. I don't recollect the number. Accordingly, the next time I was over, I called at the counting-house. I asked Mr. Dallett, Sr., also one of his sons, Mr. Henry Dallett, Jr., whether he had heard from Mr. Cronise. I asked the son in presence of his father. They both replied that they had received a letter from him within a week.

*Cross-examined.*—I took up the bonds for Mr. Cronise because I had been an old friend of his, and he owed me a large amount of money also. We had been operating together, somewhat, here in Philadelphia. My business here was on account of my being a corporator of the American Bank Note Company. His indebtedness to me grew out of some operations in Catawissa Bonds principally. Mr. Dallett, Sr., did not get the Bonds which I first spoke of as having taken up. Mr. Cronise still owes me.

EDWARD A. MOSS.

Sworn to and subscribed before me this second }  
day of February, A. D., 1865. }

GEORGE BULL, *Examiner*.

Adjourned.

Now, to wit, Tuesday, 14th March, 1865, met pursuant to appointment. Present, Mr. WHARTON for the Complainants, and Messrs. PORTER and HEMPILL for the Respondents.

The complainants offered in evidence a power of attorney from T. F. Cronise to Geo. M. Wharton, Esq., as follows :



T. F. CRONISE,	}	SUP. CT. OF PENN'A, E. D.,
vs.		<i>In Equity.</i>
E. CRONISE, & H. C. DALLETT,		July Term, 1864. No. 4.

I hereby appoint Geo. M. Wharton, Esq., of Philadelphia, my Attorney and Counsellor at Law and in Equity in this case, and in all matters connected with the subject matter of the above bill, with power of substitution.

T. F. CRONISE.

Witness, WM. HY. CRONISE.

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Jacob S. Cronise adds to his previous deposition as follows :

Titus F. Cronise has been for about two years past connected with the press of San Francisco, California.

He has held for the past twelve months the position of Financial Editor of the "Mercantile Gazette," the leading commercial paper of that coast.

There is not a commercial paper on the Atlantic coast whose financial statistics are of more consequence to its readers than are those prepared by Mr. Cronise. In fine, it is a position of importance and honor, and requires talent and character.

I do not doubt that he is earning more than a good support for himself, and that he could, and would, comfortably maintain himself and wife.

(Signed) J. S. CRONISE.

[NOTE.—The subject matter of this addition was objected to by the respondents.]

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Complainant offered in evidence four letters of Mrs. Cronise to Titus F. Cronise, dated respectively as follows :

Saturday, June 8, 1861; Friday, July 26, 1861; Thursday, October 17, 1861; Monday, March 10, 1862; and also the envelope of the last, addressed "*Mr. T. F. Cronise, 215 California St., San Francisco, California.*"

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SATURDAY, June 8th, '61.

MY DEAR HUSBAND:

Frank Clark wrote me a little note yesterday, stating that he would come up this afternoon to say good bye, and take anything I would like to send you, as he will leave Phila. early Monday morning. I can only write a few lines, dear, (so that you shall not be disappointed at receiving nothing from me,) I have been very sick again; indeed, am still, I can hardly sit up; in fact, the Doctor says, I should keep my bed; but I have become so nervous, and low-spirited, it is impossible. I lay on the sofa in the dining-room. I am very much worried, dear. I have not received a letter from you for two weeks. What is the matter, are you sick? Oh! Fey, how I wish I could see you, I am very much afraid we shall never meet again, my health is failing so. God grant it may not be so. I think I might say to you with a great deal more propriety than you did, that you neglect me. For I never missed writing (but once) by the steamer. I cannot write by pony, it is too expensive, and although I am so delighted when I get letters, (indeed, dearest, it is the only thing that gives me pleasure,) I wish you would write regularly by the steamer and by pony, if it is not too expensive for you. If you had written by the steamer, I would have received your letter on my birth-day, but was doomed to disappointment. It was the saddest birth-day of my life. I think you must have forgotten it, did you not, dear? Write to me soon, dear, I do not know what to think of your silence, I can only have the worst fears.

I send you a little picture taken when I was in New York.

If I am well enough, I will send you some papers on Monday, and direct them to the International Hotel, as I have done



recently, and will continue, unless you advise me otherwise. I feel sure the reason you have not received a good many of my letters they have been intercepted by *some one* in San Francisco.

I cannot write any more, I am suffering so. Oh! could you but see my agony. Good bye, darling, God bless and keep you well, are the never forgotten prayers of

Your devoted and true wife,

STELLIE CRONISE.

Our dear mother sends you her warmest love, write to her soon.

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FRIDAY, July 26th, '61.

MY DARLING HUSBAND:

Your two letters of the 2nd and 5th I have received, and am *so very glad* to see you are well again. Dearest, take great care of your health, and always write me exactly how you are. I, too, am better, dear. I think it is attributable to the quiet retirement in which we live. \* \* \* \*

I am glad you have Frank to relieve you, dear, and I sincerely hope your health will be much benefitted by his help. I feel concerned to think of your expenses being a thousand dollars a week, dear. It seems so enormous. Are you sure, dear, you make more than that? Oh! Fey, take care, do not rush recklessly on without knowing exactly what you are doing, dear. When I told father about it, he said it depended entirely upon your system in doing things. It was necessary for a man who expended that sum, to calculate well what he was about, and use a strict system, of course, or he might get behind. You said you would write me more particulars, pray do, dear; I am so anxious for your success, and fear so much your rushing into expense without calculating properly whether it is *really profitable*.

I am pleased you like the pictures, and shall be delighted to

have yours, dear, but do not spend any money in gifts of any kind, I think every cent should be taken care of, until you are free of debt. The first money you can send me, dear, I wish you would. I want to pay for that silver and those three bills of yours. Mother thanks you for your letter, dear, she says she will write as soon as she has leisure. Harry is very sick of Bilious Dysentery, and, although convalescing, she is still very busy with the care of him, Laura not being able to do much. I was much pleased with your letter to mother. You must not wait for her answers, dear, write soon again, it can but have a good effect.

You will see by the papers that the Government has suffered very much in the battle of last Sunday, and every thing and every body much depressed. It made Father quite sick. Poor Father is very much shaken. Do you know, dear, sometimes I think, if you do not do right by me, it would kill Father; he cannot bear to see me unhappy.

I shall write to you in future once a week, (every Saturday). For Frank's letters that you have not received I shall always believe they have shared the same fate as mine. My opinion of that person can never be changed.

\* \* \* \* \*

Every body sends you a great deal of love, our dear mother particularly.

Remember me most kindly to Frank. Tell him I hope he will enjoy good health and be successful in his business. And you, my most dear husband, praying most fervently that God may bless and keep you well; that you may be very successful and that our separation may not last long.

Your true and loving wife,

STELLIE.

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THURSDAY, October 17th, '61.

MY VERY DEAR HUSBAND :

It was just two weeks yesterday, dear, since I last heard from you. I am very anxious, dear, I assure



you. I am sure you must be sick. Something dreadful certainly is the matter, or you would have written. I see by the papers the arrival of three expresses, and if you had written I do not see why I have not received your letters. I have (as I wrote you sometime ago) received your letters pretty regularly once a week, and to be two weeks without a line from you is really too bad. I am very much distressed.

\* \* \* \* \*

You must excuse this hurriedly written letter, dear, I hardly know what I am writing or how it is written. The Doctor says I am threatened with a nervous fever. I have never, dear, been so *dreadfully depressed*, so very low-spirited, as I have been for the last two weeks. It seems impossible to throw it off. I do not know what is the cause, unless it is seeing young people marry, knowing them so happy, and myself so differently situated. However, I must only hope and pray for brighter days; they may yet come before it is too late. I feel sometimes so hopeless that my mind almost leaves me. Oh! my husband, I am so unhappy. Oh! what would I not give to be able to have you with me, dear. You will be before long, won't you, dear? May God in Heaven will it so!

Good dye, darling. Live a very correct life, won't you, dear, for your poor wife's sake? Trusting that God may unite us soon, never more to part, believe me,

Your devoted and loving wife,

STELLIE.

MONDAY, March 10th, '62.

MY VERY DEAR HUSBAND:

I have received yours of the 31st and the 10th, dear, and should have answered the former last week, but I met with quite a serious accident. I scalded my hand and wrist very badly; and to-day I had thought to write you a nice long letter, but again I am prevented, dear. Father has been very sick for a week now, and Saturday he grew suddenly worse. He is *very ill*, Fey, God grant he may not be

taken from us. He has the Diptheria and Quinsey. In your last, dear, I received the draft for the silver, for which, indeed, dear, I feel *very, very much pleased*. But I also felt a little disappointed, dear, that it had gone through —————'s hands. I wish so much, dear, that you would send all in future to Father.

Good-bye, dearest, I cannot write any more, I am so unhappy, and so worn out with losing so much sleep. I hope to be able to write you a long letter by next steamer.

God bless and keep you well, are the fervent prayers of

Your loving wife,

STELLIE.

I am so sorry, dear, you do not receive my letters, I write by *every steamer*.

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Complainant closed here. All of which is respectfully submitted by

GEORGE BULL, *Examiner*.



## SCHEDULE A.

[ANNEXED TO THE COMPLAINANT'S BILL.]

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania :*

The memorial of Estellina Cronise, of the city of Philadelphia, respectfully represents that she is the only daughter of Henry C. Dallett and Estellina, his wife, of said city, where she was born on the third day of June, A. D. 1840, and where she has constantly resided.

That on the twenty-ninth day of November, A. D. 1860, she was married to Titus Fey Cronise, (better known as Titus Cronise,) by the Rev. Dr. Stevens, now a Bishop of the Episcopal Church.

Your memorialist, desiring to be divorced from the bonds of matrimony contracted with the said Titus F. Cronise, states the following facts as the grounds upon which she asks to be separated from her said husband :

1. That long continued and artfully planned deceits were practised upon her by her said husband, and others influenced by him or connected with him, to entrap her into a contract of marriage.

2. That corrupt, dishonest and, as she believes, criminal practices in business, on the part of her said husband, anterior and subsequent to her marriage, of which she was at the time entirely ignorant, involved him in such difficulties, and rendered him liable to such punishments, under the law, by imprisonment or otherwise, as to make continued cohabitation with him impossible, and to force him to concealment and subsequent escape to California.

To elucidate these facts your memorialist states the following circumstances, avoiding details, which she will be prepared to prove : That the said Titus F. Cronise, long before she

became his wife, was a stock and exchange broker in said city, doing business under the name of Cronise & Co., and, as is now known, had conducted his business on such corrupt principles, and in such manner generally, as to become not only hopelessly involved, but so as to render it necessary for him to make such a connexion by marriage as would enable him to buy security. That your memorialist is not permitted to doubt she was deliberately made the victim of these necessities, and is now suffering the effects of fraudulent acts, from which her said husband has avoided conviction by concealment and escape to distant parts. Your memorialist represents that she was made acquainted with the said T. F. C. about a year before their marriage, through the active and artful instrumentality of a certain Henry A. Fleming, long intimate with her father's family, having formerly been in his employ as a clerk. At the time spoken of the said T. F. C. had induced the said Fleming, who was then studying for holy orders at the Catholic College at Villanova, near Philadelphia, to enter his employ, and occupy a prominent position in his business. Between these persons the closest intimacy was formed and continued to exist, they boarding at the same house and sleeping together in the same room. Your memorialist cannot doubt that the said Fleming was taken into the employ of Mr. Cronise for the purpose of exercising an influence over her, and bringing about a marriage with Mr. Cronise.

Mr. Fleming represented Mr. Cronise to your memorialist as a highly respectable gentleman, in fine circumstances, doing a good business, and fully entitled to her confidence; and continued to make such representations as would be most likely to induce her to enter into marriage with said Cronise. The representations that were thus made proved incorrect in every important particular. It is now well known to your memorialist that she and all the members of her family were deceived by the representations of Mr. Fleming and Mr. Cronise, the latter being at the time hopelessly insolvent, and his business transactions of such a character as to make him liable to arrest and incarceration in prison. Without any solicitation on the part of any



member of your memorialist's family, Mr. Cronise, following up the representations of Mr. Fleming, brought and exhibited at the house of her father, at different times, balance sheets, showing the condition of his business, and that he was then worth about \$16,000 beyond his real estate, stated to be worth \$20,000, and clear of incumbrance. After the marriage, and when his creditors were pressing him on account of his dishonest practices, he declared that the balance sheets spoken of were utterly false, having been made up by himself and his clerks, at his instigation, for the purpose of deception; and a brother of your memorialist, having advanced to him large sums of money, and having received from him liens on said real estate, it was ascertained that the same had been previously incumbered beyond its worth, and was perfectly valueless in the hands of Mr. Cronise. Of the moneys placed in the hands of Mr. Cronise by the brother of your memorialist was a sum to purchase 100 shares of the capital stock of the Green and Coates St. R. R.; and after the marriage, upon being interrogated, he declared he had sold the stock and used the money himself. There were also other moneys, to a considerable amount, which a brother of your memorialist had given to Mr. Cronise for the purchase of notes of Southern banks, to transmit to New Orleans for exchange. Mr. Cronise rendered to said brother two or three statements, which he professed were the results of these transactions; and upon inquiry being made of him after the marriage as to this business, he admitted that he had never carried out the instructions given him, and that the statements furnished were entirely fictitious. Your memorialist has been made acquainted with other criminal transactions of Mr. Cronise outside of her family, many of which are of such a character, so colored with fraud and dishonesty, as to deprive her of all confidence in or respect for him, and to make it impossible that she should ever again hold intimate relations with him.

That in October 1859, Mr. Cronise had in his possession for collection the note of one A. J. Fitch, for \$5000, given to one Eli Garrettson, together with sufficient stock of the Columbia Bank to secure the same as collateral. For the original

note Mr. Cronise took three notes, at two, three and four months. These notes were paid, and a return of the bank stock demanded by Mr. Fitch, but declined by Mr. Cronise; when Mr. Fitch, learning that he had hypothecated the stock for his own purposes, threatened to sue him, and was then told by Mr. Cronise that he would keep him out of it for six months. That Mr. Fitch then threatened to publish him in the newspapers if he did not give him his stock within a fixed time. Mr. Cronise besought him not to do so, and he would return him his stock, as he was going to marry a rich man's daughter in a few weeks, and it would ruin him forever to be published. The stock was returned under this threat.

Some time after memorialist's marriage, in 1860, the cashier of the Allegheny Savings Bank sent to him a package of coin, amounting to \$1826.60, and requested him to place it, together with the premium, to the credit of said bank, with Work, McCouch & Co. In a few days afterwards he received a letter from Mr. Cronise, stating that he had placed to the credit of the bank, with Work, McCouch & Co., \$1931.74, being the proceeds of the above mentioned remittance. This proved to be a base falsehood, as it was afterwards ascertained that Mr. Cronise had appropriated the money for his own necessities, and never paid over any part of it to Work, McCouch & Co.

Your memorialist further states that for some considerable time before her marriage her said husband, fully appreciating the nature of his transactions, and the danger to which he was subjected, quieted his creditors then threatening him with exposure by announcing to them the fact that he was about to marry your memorialist, and that upon the consummation of such marriage he would be enabled to relieve himself of all his difficulties. After the marriage he declared that he had demanded that it should take place at the earliest day, for fear of exposure before its consummation.

Your memorialist further states that immediately preceding the failure of her said husband, which occurred on the 22d of December, 1860, he drew his checks for a large amount on the Farmers and Mechanics' Bank, of Philadelphia, knowing that



he had not sufficient funds to meet them, and eventually causing great loss to the holders of said checks.

Your memorialist will not undertake to detail the many fraudulent transactions in which her said husband implicated himself, her object being simply to give to your honorable bodies an idea of his general character, the manner in which he conducted his business, and the consequences which befel him.

Shortly after the marriage such revelations were made, and legal proceedings instituted, as to make it evident that he could not remain in Philadelphia and avoid imprisonment. Your memorialist's family first undertook the hopeless task of affording him relief by pecuniary advances, furnishing him in the aggregate near \$10,000. It, however, soon became evident that he could not be shielded without immense sacrifices, when he stealthily left Philadelphia for New York, and there secreted himself aboard a steamer about to leave for California, the officers of justice being in pursuit and in search of him aboard the vessel. He reached California, and has resided in or near the city of San Francisco ever since, as your memorialist believes.

Your memorialist, being kept in ignorance by her family and friends of the main facts attending the escape of her said husband and the causes of it, now and for a year past has held no correspondence with him; and fully convinced of his utter depravity as a gentleman and man of honor, and ever since her marriage, as before, having been dependent upon her father for support, can never again consent to cohabit with him as a wife, and, although now separated from him for over three years, she has never been requested by him to do so; she, therefore, respectfully asks to be relieved from the marriage contract.

ESTELLINA CRONISE.

Affirmed and subscribed before me this }  
9th day of March, A. D. 1864. }

[U. S. Stamp.]

JAMES McCahen, *Alderman.*

## SCHEDULE B.

[ANNEXED TO COMPLAINANT'S BILL.]

*In the matter of the application of Estella Cronise, to the Legislature of Pennsylvania, for a divorce from her husband, Titus F. Cronise.*

CITY OF PHILADELPHIA, ss.

Personally appeared before me, the subscriber, an alderman of the City of Philadelphia, Henry C. Dallett, who, being sworn according to law, deposes and says that he is the father of Estella Cronise, who was intermarried with Titus F. Cronise, on the 29th of November, A. D., 1860, she having become acquainted with him through the introduction of Henry A. Fleming, a former clerk of deponent some years previous; that said T. F. Cronise was a broker in business in Third street, Philadelphia, and sometime before his marriage voluntarily represented to the deponent that he had outside of his business a property at Monrovia, in Maryland, his native State, which he valued at \$20,000, and exhibited to the deponent, from time to time, balance sheets, showing him worth \$16,000 in his business, which he, on the night of his failure, admitted were false and got up for the purpose of deceiving deponent and his family; that on Saturday, December 22, 1860, said Cronise stopped payment, having, on the night previous, informed his wife and mother-in-law that his failure would take place the next day; that on the day of his failure he went on with his business, for a time, making purchases and giving checks on the Farmers & Mechanics' Bank, for a large amount above his deposit therein, many of which checks were dishonored; that criminal proceedings were commenced soon after his failure by many of his creditors for obtaining their money or property by false pretence, which were prosecuted until your deponent was satisfied they would result in the imprisonment of said Cronise, when he interposed with his means and effected a compromise with the prosecuting creditors, and secured his release from the officers of the law; that said Cronise, fearing that other prosecutions might be instituted by other creditors whom he knew he had wronged, about the 11th of February, left the City of



New York, secreted in a steamer, for California, one of his creditors being at the boat, with officers of the law, in pursuit of him for the purpose of arrest, without success; that since his arrival in California, he has remained there up to this time, as your deponent believes, leaving his wife with your deponent, with whom she still resides, entirely maintained by him since as before her marriage; that for sometime after his departure and separation from his wife, she corresponded with him, he having left with her knowledge and assent, as necessary to preserve him from the prosecution of his creditors; that it was the policy of the deponent to keep from his daughter a knowledge of the true character of the conduct of her husband; nevertheless, in time, she became acquainted with it, and, more than sixteen months ago, ceased to correspond with him, and declares herself unwilling ever again to live with him as a wife; that your deponent, upon a review of all that has transpired in connection with said Cronise, is now satisfied that he was insolvent before his marriage, which was brought about by deception, for the purpose of bolstering up his declining affairs by the assistance of the deponent's means; that deponent did from time to time assist him with large sums of money, until justice to his family compelled him to cease doing so, and that said Cronise is now indebted to him about \$20,000; that the property which he held at Monrovia, upon which he gave judgments to deponent's son to the amount of \$10,000, alleging that they were well secured, proved to be worth nothing in his hands, and has been subsequently sold to one of his brothers without fully paying the previous liens; that among many acts of deception and dishonesty, your deponent will state but one more, to wit; shortly after his failure, he transferred to deponent's son a note drawn by one Lewis Dietrich, a nephew of said Cronise, in favor of himself, which became due after he had left for California, and that when the drawer was called upon for payment he refused on the ground that he had a written release of T. F. Cronise, to the effect that value had not been received for said note, and discharged the drawer from the payment thereof, a copy of which release was furnished to de-

ponent, but is now mislaid; that said Cronise being informed of the existence of said release, and upbraided for having given it, acknowledged that he had done so, but did not think it of any value in point of law; that your deponent might state other matters evincing the character of the said Cronise for honesty and truth, which he, however, does not think necessary under all the circumstances; and further saith not.

HENRY C. DALLETT.

Sworn to and subscribed before me this nineteenth }  
day of March, 1864. }

JAMES McCAHEN, *Alderman*.

*filed* NOTE.—At a meeting held by appointment on the 3d day of April, 1865, at which there were present Mr. DRAYTON, for the complainant, and Mr. PORTER, for the respondents, the complainant, without admitting that Schedules C and D were not already in evidence, ~~affirmed~~ the said papers in evidence. Whereupon the respondents filed the following objections:—

1. It is an ex-parte statement written by J. S. Cronise, without cross-examination.
2. It related to the case before the Legislature, and is not a deposition in the present case.
3. It is made by the party who filed the Bill in Equity, and cannot be evidence in favor of the complainant.
4. It is an extra-judicial affidavit, and of no legal force.
5. It is irrelevant to the issue formed in the present case.

#### SCHEDULE C.

*To the Honorable the Senate of Pennsylvania:*

The memorial of J. S. Cronise respectfully represents to your Honorable Body:

That he is the brother of Titus F. Cronise, who is now, and has been for three years, in California engaged in business there.

On or about the 26th of March, 1864, the wife of said Titus F. Cronise, made application to the Legislature of Pennsylvania for a divorce. The Committee on Divorces of the House of Representatives, reported favorably on the 4th of April,



1864; but subsequently, the bill was recommitted to the Committee, who again reported favorably. The bill has passed that branch of the Legislature, and is now before your Honorable Body for concurrence.

The alleged causes of divorce have been known to the wife, and existed for two years past, before the meetings of the Legislatures of 1863 and 1864; and although she has since his departure corresponded amicably and affectionately with her husband, and well knew his residence, yet carefully concealed all intention of applying for a divorce.

Your memorialist, on learning of the application, telegraphed the information at once to his brother, together with a brief statement of the causes alleged, and he has received a telegram in reply from his brother, stating that he did not know of it, was opposed to it, and that the allegations are false, and he can show them to be so if he has an opportunity.

Your memorialist, therefore, prays that you will not pass a bill so seriously affecting the interest of the said Titus F. Cronise, without notice to him, and without a hearing, privileges that are always granted as a right to those accused of the highest crimes.

But experience has shown that hasty applications for divorce, when not granted, have been regretted; and the parties have come together and resumed their marital relations, which these parties may do if hurried legislation can be averted.

The only request now made is that sufficient time may be granted to enable his brother to have a hearing.

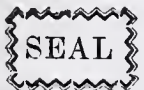
Your memorialist verily believes that the material allegations contained in the petition can be disproved, and that his brother can fully answer these hurriedly made up charges.

Your memorialist invites those members of your Honorable Body, who desire to examine carefully into the merits of this case, to another and accompanying paper, prepared by your memorialist, containing a more specific denial of the alleged charges of the petitioner.

And your petitioner will ever pray, &c.

J. S. CRONISE.

STATE OF NEW YORK, }  
CITY AND COUNTY OF NEW YORK, }

This twenty-sixth day of April, 1864, personally  
 appeared before me, the subscriber, a Commissioner  
 of Deeds, &c., for the State of Pennsylvania, residing  
 in the City of New York, and empowered to adminis-  
 ter the affidavits, &c., the above-named petitioner, J. S. Cro-  
 nise, who being duly sworn, did depose and say, that the facts  
 stated in the foregoing petition are *true*.

J. S. CRONISE.

Sworn and subscribed before me on the day and year above  
 written, and witness my hand and official seal.

EDWIN F. COREY, JUN.,  
*Commissioner for Pennsylvania in New York.*

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#### SCHEDULE D.

[SEE OBJECTIONS TO SCHEDULES C AND D, ON PAGE 34.]

*To the Honorable the Committee on the Judiciary of the Senate  
 of Pennsylvania:*

Gentlemen: A bill has been passed by the House of Repre-  
 sentatives divorcing Titus Cronise from his wife.

I am a brother of Mr. Cronise and reside in the City of New  
 York, and the first intimation that I had of any application for  
 a divorce was received by me *after* it had been already passed  
 upon by the Committee on Divorces of the House. I tele-  
 graphed my brother, who resides in California, and he an-  
 swered denying the allegations and begging for an opportunity  
 to be heard in his defence.

Neither he, nor any of his relations, had any notice of the  
 presentation of this bill.

About one year ago the deponent's brother forwarded to the  
 address of his wife, through Wells, Fargo & Co.'s California  
 Express, a letter, (a copy of which was furnished the Com.  
 on Divorces of the House) containing a policy of insurance  
 on his life for \$10,000 in the name of his wife and for her own



benefit. A draft for \$33.33 in gold, which is spoken of in his letter as one of a number he had been regularly sending his wife (how many such he had sent, or when he began sending them, the deponent is unable to say, and the facts could only be shown by your Committee affording time to procure the defendant's evidence from California) and said letter being accompanied also by certain certificates of California Mining Stocks, &c.

This letter Messrs. Wells, Fargo & Co. reported to me they were unable to deliver, as the plaintiff in this case declined receiving it. I telegraphed this fact to my brother, and he answered requesting me to see his wife and make known to her its contents. Not wishing to confer with her in any private or surreptitious, but in the most open and honorable manner, I wrote to Mr. Dallett, stating the contents of the letter and my brother's telegraphic request. My letter was opened by Mr. Dallett and returned me in another envelope without a word of comment. From that time I declined all attempts to confer with any member of that family, and heard nothing whatever from them, nor has my brother, touching their intentions or disposition in this case.

Apprehending, however, that they might take steps to procure a divorce, I desired Mr. Henry M. Phillips to watch the records of the court. This he did at my own request, advising me from time to time that there was no evidence of such a purpose.

Upon the assembling of the present Legislature, I requested my friend, Hon. Henry D. Moore, Treasurer of the State of Pennsylvania, to advise me of any steps that might be taken before your Honorable Committee. As three months of the Session of the House elapsed and I received no advices of this proceeding, I was greatly surprised at near the close of the Session to hear that it had been already favorably reported upon by the Committee on Divorces of the House.

The deponent begs your Honorable Committee to note carefully the fact that the petitioner allows three months of your Session to pass before *introducing* her application, and *then under the pressure of influential advocates urges it on to an im-*

*mediate passage*, without notice to my brother, and without affording even his friends an opportunity of offering a word in his defence! “*Does our law condemn a man before he is heard?*” The vilest criminal is permitted a defence, and it seems to the deponent most unjust that his brother should, by these *well concealed* and urgent proceedings of the petitioner, be refused an opportunity of being heard in his own defence. *Why* have they waited until near the close of the Session, and why is it being now urged forward, and all overtures from our side begging for delay and time to procure evidence so persistently and mercilessly denied?

The deponent begs to call attention to a copy of a letter written by his brother, dated June 22nd, 1863, (and furnished the House Committee) *after* he heard by télégraph of his wife’s refusal to receive the package heretofore spoken of. This letter shows conclusively a devotion to, and love for his wife such as are rarely seen, certainly such as cannot be successfully simulated. It also sets forth, in language not to be doubted, his resolute determination to pay every debt he owes, and, from an intimate knowledge of his character and of the careful moral training we all received from honest parents, (who would not have done a wrong, or if committed through inadvertence, have allowed it to remain uncorrected for any principality or power on the earth) the deponent is persuaded that his brother, the defendant, *will discharge every obligation incurred by his failure*. The deponent has reason to believe that his brother will have the ability, and intends to pay his debts the ensuing autumn, and he respectfully submits whether, under such circumstances, he should be thus branded afresh, and again put to shame. Why should he be thwarted or discouraged in so commendable a purpose, as the deponent fears he would be by granting the prayer of the petitioner?

The deponent desires to call *the special attention* of your Honorable Committee *to the material fact* that Mr. Dallett, the father of the petitioner, *was* aware of my brother’s pecuniary difficulties *many months* prior to his marriage, for the deponent remembers with distinctness, his having been called from New



York to confer with Mr. Dallett on this subject, that a conference took place at the Franklin House, in the City of Philadelphia, that the defendant wished *then* to suspend, and feared that his difficulties were such as would prevent his continuing in business; but on the offer of Mr. Dallett and myself of the use of a certain amount of money, he decided reluctantly to keep his business going.

The undersigned considers that in thus having frankly and plainly shown to so experienced a business man as Mr. Dallett that he *was* in great difficulty, fully acquits his brother of the charge of *fraud*, in having concealed his situation prior to his marriage, and also shows that the dishonorable motives imputed to him, viz., that of designing to win the daughter *at any cost*, must be regarded by your Committee as unsustained, even on such evidence as can be furnished here, not to speak of what my brother could doubtless supply.

The deponent desires to state that his brother left Philadelphia with the knowledge of his wife and her family, and that his only means of paying his expenses to California *were obtained from his father-in-law*. Whatever may have been the facts relating to his failure, it is susceptible of proof that he did not propose to, and did not "put money in his pocket" by his failure; *but left the country as poor and beggared as his worst enemy could have wished him to*.

It is a fact, also, that for quite two years after his arrival in California, he met with poor success. The deponent knows he was most anxious to have returned a year ago; but the means he then had were not sufficient to satisfy all his creditors.

It is also true that he gave to Mr. Dallett, at the time of his failure, nearly all the assets he possessed, and the deponent believes that with even a part of the assets thus handed over to Mr. Dallett, *the claims which gave my brother the most trouble could have been settled*.

In this connection it seems to the deponent not out of place to state, that such was the desire of his brother to make all the reparation in his power to Mr. Dallett, that in thus handing over to him everything, or nearly so, that he possessed, he ex-

cluded even the deponent, his own brother, to whom he was indebted above \$3000.

Mr. Cronise handed not over to the undersigned, in any shape or form whatsoever, one dollar's worth of money or collateral of any kind, and the deponent had subsequently to pay, and did pay, in full, principal and interest, the amount of a draft for \$2500, which the undersigned had sold to the firm of Dallett Bros., (drawn by him on his brother the day before the latter failed) and which was protested. The deponent also paid to another Mr. Dallett a further sum of nearly \$800, which the deponent claimed he was not legally bound to pay; because, having been issued two days before his brother's failure, it was not presented with that "diligence" required by the law, previous to my brother's failure, and when it would have been paid.

The defendant has been assured also, and believes that some of the assets thus handed the father-in-law have since greatly enhanced in value, and he believes that the original debt of his brother to Mr. Dallett has thus been materially decreased. But of this the deponent is unable to speak more precisely as his brother's books and papers were all left with Mr. Dallett, and to the best of his knowledge and belief are still retained by him, *notwithstanding this petition*.

In answer to the allegation based upon the business transaction with my nephew, Louis Dietrick, the deponent begs to state that Mr. Dallett, *in suppressing the fact that my nephew paid him*, in whole or in part, notwithstanding the release, which it is carefully stated Mr. Dietrick presented, seems to be as indifferent to the reputation of innocent parties, as he avers my brother was.

The deponent in answer to the statement that the Monrovia property "was subsequently sold to one of the defendant's brothers, without fully paying the previous liens," desires to state that it was publicly sold, at auction, under a decree of the court, after having been duly advertised for three months in the papers of the county and by posted bills, and that it was then and there bought by the deponent and his nephew, the



said Louis Dietrick, that we had determined to pay, and would have paid, all the liens previous to that held by Mr. Dallett, and more had it been necessary, that one of the reasons for its not bringing more than the amount of the previous liens is to be found in the fact that my nephew's father-in-law held the lien prior to Mr. Dallett's, and was therefore not interested in bidding against himself.

The main cause, however, of the property not bringing more can be proved to have been, that the people of that section, who had long known and honored the deponent's deceased father, were aware that Mr. Dietrick and myself wished to buy the property, in part for the purpose of holding on to the old family homestead, and also that of giving a home to the deponent's two sisters, (one of them a widow) and who are now living there. This feeling of respect for the family, it can be proven, was such that, although it was and is considered an unusually desirable country property, and worth much more than it brought, *there was not a single bid from any one against my nephew and the deponent.* Parties came voluntarily to the deponent, and whilst expressing a wish to possess it, declared they would not bid against us. Mr. Dallett, to the best of the deponent's knowledge, was not represented there.

If, therefore, Mr. Dallett in his allegation desires to convey the impression that the sale was made covertly, and thus, by implication, involve *another* of the deponent's family, the foregoing is deponent's explicit answer, and will be gladly established by the mouths of many witnesses, if opportunity be allowed.

The petitioner, in asserting that "others connected with his brother were guilty of long continued and artfully planned deceptions to entrap her into a contract of marriage," and again, "that she was made acquainted with my brother through the active and artful instrumentality of a certain Henry A. Fleming," (meaning, doubtless, the deponent's brother-in-law, Henry A. Fleming) *that at the time spoken of* "the said Cronise had induced the said Fleming, who was then studying for Holy Orders at the Catholic College at Villa Nova, to enter his service, and that she cannot doubt that he was thus employed for

the purpose of exercising an influence over, and bringing about a marriage with her," &c., the deponent begs to be put on this, or any other record, as not only denying them, in whole or in part, *explicitly, and of his own knowledge*, but as regarding them, *to say the least*, as most monstrous delusions, on the part of the petitioner.

Mr. Fleming did not introduce my brother to the petitioner for more than a year after he left college. *Does this look as if he "had left Holy Orders for the purpose of entrapping her into this marriage?"* As professing Catholics themselves, and the mother of the petitioner having personally asked Bishop Wood to marry her daughter to the deponent's brother, (which he declined because the defendant was *not* of the same faith) this very serious charge against Mr. Fleming is as *inappropriate* as he pronounces it to be *false and malicious*. Besides, the whole family *had known him intimately* from boyhood; he had been raised in their midst, and, that their former opinion of him was in the highest degree favorable to him, is conclusively shown by the importance they profess to have attached to his representations of my brother.

Gentlemen of unquestioned position and character are eager to testify to their high opinion of him; one such remarked only yesterday to the deponent, "if Harry Fleming be not a pure and good man, then are there none pure and good."

The deponent cannot too strongly invite your attention to his brother's private habits of life. *They always were*, and (on the faith of intimate friends of his, who have lately arrived from California) *are still without reproach in any respect*. *The petitioner, it will be noticed, does not attempt to assail him in this respect.*

The deponent knows that the defendant is now most earnestly laboring, eighteen hours out of the twenty-four, for no other purpose than to retrieve his former honorable position. Does such a person deserve nothing from the hands of his wife, nor even, at your hands the poor boon of a defence?

The deponent is assured by friends of his brother, who have but recently arrived from California, (and whose evidence can be, and will be produced, if your Honorable Committee will



allow the opportunity) that the defendant in this case *now holds a most reputable position there, and that he is honored by all who know him.* Does this not offer a strong appeal why he should not be thrust down, as desired by the petitioner, and as he may be, by your granting her petition?

Granting even that the allegations of the petitioner are true, should obstacles, in view of the above facts, be now thrown in his way, or incentives withdrawn?

All I ask is that my brother shall have a hearing, before you pass a sentence branding him and his friends for life; for I believe that he will be able to disprove the material allegations contained in the petition.

*I am advised by counsel that even if the statements in the petition were true, the courts of this State have full and ample powers, in such a case, to grant a divorce.*

The fact also remains, that the petitioner for nearly two years, wrote regularly to my brother in the most tender and devoted manner, as could be shown were time allowed to procure these letters from my brother. The deponent's brother sent deponent one of the last, the very last, I believe, of her letters to him, and I remember with perfect distinctness that there was not a word of reproach in said letter; but on the contrary that it was couched in the most loving and wifely terms. This letter I returned him, at his special request, as he treasures everything from his wife with almost religious devotion. My counsel advises me that the law does not permit a wife after such evidences of faithfulness on her part, subsequent to the alleged crimes, to seek to absolve herself or be absolved from her marital obligations.

I am the only brother living on this side of the Pacific coast. Common justice requires that his side should be heard; and I feel that if time be allowed my brother to send forward evidence from California, that the Honorable members of your Committee, upon the proofs that can be spread before them, will refuse the pending application.

All which is respectfully and prayerfully submitted.

J. S. CRONISE.

STATE OF NEW YORK, }  
CITY AND COUNTY OF NEW YORK, }

This twenty-sixth day of April, 1864, personally appeared before me the subscriber, a Commissioner of Deeds, &c., for the State of Pennsylvania, residing in the City of New York, and empowered to administer affidavits, &c., the above named petitioner, J. S. Cronise, who being duly sworn, did depose and say that the facts stated in the foregoing petition are true.

J. S. CRONISE.

Sworn and subscribed before me the day and year above written and witness my hand and official seal.

EDWIN F. COREY, JUN.,  
*Commissioner for Pennsylvania in New York.*

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SCHEDULE E.

NEW YORK, April 6th, 1864.

To HENRY M. PHILLIPS, *Attorney at Law, South th St., Philadelphia, Pa.:*

Application now pending in your Legislature. Take immediate steps to postpone further proceedings until defendant can be heard from. Go up yourself, if necessary. Answer immediately.

J. S. C.



TITUS F. CRONISE,	}	SUPREME COURT,
<i>vs.</i>		July Term, 1864.
ESTELLA (sometimes called ESTELLINA)		No. 4.
CRONISE, formerly ESTELLA DALLETT, and HENRY C. DALLETT.		<i>In Equity.</i>

## RESPONDENTS' TESTIMONY.

Met, pursuant to appointment, on Thursday, at 4 o'clock P. M. Present, Messrs. WHARTON and DRAYTON for complainant, and Messrs. PORTER and HEMPHILL for respondents.

Frank C. Clark, a witness, produced, sworn and examined on the part of the respondents, says :

I went to California in June of the year 1861. Mr. Cronise went in February of the same year. One of my objects in going to the steamer was to see him off, and to assist him. I was a friend of his. When he left I was not aware that there was any one seeking to arrest him. I ascertained that there was some one seeking to arrest him on the boat going across to Camden. A Mr. Mitchell, whose first name I do not remember, was the party who sought his arrest. I saw Mr. Mitchell on board the California steamer. I heard Mr. Mitchell talking pretty loudly, and saying there was a man on board who owed him money, and he (Mitchell) was offering a reward to get him off the steamer on to the shore. It was Mr. Cronise whom he referred to ; Mr. Cronise owed him money. He did not state any sum of money as a reward, in my hearing. I did not see Mr. Cronise after he went aboard. I talked with him through a lattice. He was in a room used as a pantry. I saw Mr. Mitchell come on shore, a few minutes before the vessel sailed, with one or two persons, whom I presumed to be officers. I was employed by Mr. Cronise when I arrived in California. I went out with the purpose of going into business with him, but the arrangement was not consummated. Mr. Cronise was

not successful in California ; he failed in business. He was in the brick manufacturing business. He was not regularly in the business, but was engaged in a contract to furnish brick for a large building. The reasons for my not going into business with him were reasons of my own. I left California on the first day of February, 1863. At the time I left, Mr. Cronise was engaged in the speculating business. His particular business was the buying of damaged cargoes, putting them in order, and selling them, and in buying parts of cargoes. I was employed by him in Philadelphia, before he went to California. He failed in Philadelphia about the 20th of December, 1860. My impressions are that Drexel was the first party who arrested him. There were two or three on the same day, and one the next day, as near as I can remember. Mr. Drexel arrested him on the ground of fraud, for selling him Exchange on New York, without any funds to meet it, the day before the failure. I think the amount was five thousand dollars, but I am not positive as to that. Johnston & Bros., of Baltimore, also arrested him. Mr. Cronise drew on Johnston & Bros., and they paid the draft, but when they drew back upon Cronise their draft was not honored. The amount I do not exactly remember, but it was a number of hundreds of dollars ; I think it was at least eighteen hundred dollars. The Farmers & Mechanics' Bank arrested him. He overdrew his bank account there, and his checks were paid. I think the amount there was in the neighborhood of five thousand dollars ; it might have been a little more. This case was heard before Judge Sharswood, and was compromised, I believe. There was a Savings Institution, as near as I can remember, out in Allegheny City, that sent some gold to Cronise some four or five days before his failure. They sent the specie to be sold, and the proceeds to be placed to their credit with some banker or broker, I don't remember who. He did not place the proceeds as they had directed, and they wrote him a letter threatening to sue him. The proceeds were placed to his credit on our books. They went into the business fund. Mr. Mitchell was a depositor to the amount of two thousand or twenty-five hundred dollars. His funds went along with the



rest. I am not aware that he got any of his money back. There was a suit brought by Rowland & Irvin, the flour men on Broad street. They sold over the counter of Mr. Cronise gold on the morning of the failure, and received a check on the Farmers and Mechanics' Bank. The bank did not pay the check. They deposited the check, and it came back to them next day. This sale was made before twelve o'clock on the day of the failure. There was no other case of arrest that I know of. There was no other arrest here—Johnston made an arrest in Baltimore.

*Cross-examined.*—Drexel, I think, in his suit before the Alderman, was non-suited—he failed to make a case. On Johnston's suit he was held to bail, but the case never came before court. He went to Baltimore, and was arrested again by Johnston, and there was some kind of a settlement. The Farmers and Mechanics' Bank suit was settled for a certain per centage, for which he gave his own notes and one or two notes of other parties. I do not recollect what became of Rowland & Irvin's case. My impression is that they made nothing of it. Mr. Fleming was arrested with Mr. Cronise, and became very indignant, and threatened to sue Rowland & Irvin for false imprisonment. I do not recollect whether the Allegheny City Saving Fund Bank brought suit or not. As near as I can remember, the date of Mr. Cronise's failure in California was about the latter part of October, 1861. I presume the failure was owing to his not understanding the business, and not having enough capital. When I left California he was associated with Mr. Colburn in business.

FRANK C. CLARK.

Sworn to and subscribed before me this {  
12th day of January, A. D 1864. }

GEO. BULL, *Examiner.*

Adjourned to meet on Thursday, the 19th day of January next, at 4 o'clock P. M.

Now, to wit: January 19, 1865, met pursuant to adjournment. Present, Mr. WHARTON for the Complainant, and Messrs. PORTER and HEMPHILL for the Respondents.

Hon. John Hickman, a witness, produced, affirmed and examined on the part of the respondents, says :

I still reside in West Chester. I am not at present practising law, and have not been since I left Congress. I know Henry C. Dallett and his daughter. Mr. Hemphill called at my house one evening and mentioned to me the intended application to the Legislature for a divorce on the part of Mrs. Cronise. At that time I was not acquainted with either Mr. Dallett or Mrs. Cronise. Mr. Hemphill desired me to assist him in the application, stating that they were friends and relatives by marriage of his. I replied that I would do so if he (Mr. Hemphill) desired it, he and I having long been personal friends. I can't state the time of Mr. Hemphill's call. It was probably about the time of the meeting of the Legislature, in January, 1864; it may have been before that time. We determined that the matter was not cognizable by the courts, and that it was within the jurisdiction of the Legislature, although we preferred to apply to the court, if the court could grant a divorce upon the grounds that existed in this case, and which we proposed to found our application upon. We proposed, accordingly, to make our application to the Legislature at the earliest seasonable moment; but as there was difficulty in the organization of the Senate, and as there was some doubt whether they would be able to organize at all, we concluded not to prepare a memorial until the Legislature was ready to do business. My recollection is that immediately after the Senate became organized we prepared the memorial. Mr. Hemphill, I believe, sent it to Harrisburg. Mr. Hemphill was at Harrisburg once or twice. I did not go up until I received information that the matter had been favorably reported upon by the Committee on Divorces of the House, and that the counsel of Mr. Cronise had appeared there, and asked a rehearing before the Committee, to which Mr. Hemphill did not object. When the Committee met the



second time, to reconsider the application, Mr. Hemphill and myself appeared on the part of the memorialists, and Mr. Weil, I understood for Mr. Phillips, on the part of Mr. Cronise. I believe the Committee met on the evening we reached Harrisburg, which was the 14th of April, or thereabouts. The meeting of the Committee was, perhaps, at 8 o'clock; it may have been seven. When we met at the Capitol there was some difficulty in obtaining a room for the meeting, which occasioned a delay; but I should say that we were ready to argue the case before the Committee by half-past eight o'clock. It was then understood that Mr. Hemphill should present the case on the part of the memorialists; that Mr. Weil should reply, and I conclude. At this time there was some considerable conversation as to whether we should conclude our argument upon the case that night, the Committee being somewhat divided. As I had some reason for returning home, I requested the Committee to hear the case through that night, if it was convenient to do so, promising that my remarks should be brief, saying that I should certainly not take over half an hour. Mr. Weil said he thought half an hour would be quite as much time as he desired. Mr. Hemphill opened the case, presented such affidavits as he thought proper to present, after the memorial was read, I think, by the clerk of the Committee, and occupied, I should say, an hour of time. There was but a small part of the papers read by him. Mr. Weil, I should think, took an hour and a half, read a number of papers, and I think all that he had, and I concluded, as I supposed, in about half an hour. But to my astonishment, after I concluded my remarks, Mr. Weil made another speech. To this nothing was replied. My recollection is that the Committee sat until midnight, and probably three hours or three and a half were consumed by the meeting of the Committee. I left Harrisburg the next day, and took no further part in the case until I was informed the bill had passed the House, and the Judiciary Committee of the Senate had agreed to hear the case on the Tuesday following, which was probably Tuesday, the 26th of April. Mr. Hemphill being unable to go to Harrisburg at that time, I went to Harrisburg

on Monday, the day preceding, for the purpose of presenting the case to that Committee. The Committee could not be got together on Tuesday, and, I think, not before Wednesday afternoon, the 27th of April. As soon as the Senate adjourned in the afternoon a meeting of the Committee was held. When we got together I was inquired of by certain members of the Committee whether there was any one there to represent Mr. Cronise. As I had not seen Mr. Weil in Harrisburg, I said that I did not know of any person, and had seen no one. Within a few minutes a member of the Committee, the Chairman, I think, came into the room and said there was a gentleman there from New York to represent Mr. Cronise; and this member left the room and brought in a gentleman, who did attend to the case. I don't know who he was, or where he came from. I introduced myself to him, and said that as we were there on the same case we ought to be acquainted. I did not ask his name, but I suppose I looked as though I should like to know it. The reply I got was that he was a friend of Mr. Cronise, in New York. When we were ready to proceed with the business I suggested that he should go on and say what he had to say, and I would reply, proposing to make my remarks very brief. He proceeded, and in the course of his remarks he said he was not a lawyer, but was there to represent Mr. Cronise as a friend. He read two or three papers, perhaps; perhaps two papers signed by Mr. Cronise. He then came to a paper which appeared to be a long letter from Mr. Titus Cronise, which did not appear to have ever come into the hands or possession of his wife. I then intimated to him that if he proposed to read all the papers it would require more time than any Committee would be willing to give us, and asked him to state just what it was the papers contained, and if the statement was fair I would admit it; and he proceeded to make his statements, and I believe I made no contradiction. I also stated that I proposed to pursue the same course, and if I stated anything improper he would correct me. Having concluded, the Committee adjourned, reported the bill to the Senate, and on Friday night, the 29th of April, the bill



passed the Senate, and was signed by the Governor the same evening. Of course, it was the business of the Committee to have all the papers, and I believe they had them. There was a large bundle of them. I believe they had them all. There could not well have been any undue haste, because there was a small minority in each Committee opposed to the divorce. I saw no evidence of haste ; indeed, I never saw so much patience manifested by a Legislative Committee, or so much time taken in hearing arguments. I was for two years Chairman of the Committee on Revolutionary Pensions, and four years Chairman of the Judiciary Committee of the House of Representatives at Washington. Upon the Judiciary Committee devolves some of the most important questions that come before the House of Representatives ; and it very often happens that Senators and members of the House, Judges, lawyers and laymen find it necessary to present and argue cases before the Committee. I have even known the President of the United States ask to make statements, and I never knew, in my experience, so much time taken up in the argument of a case before a Committee. It is my opinion that the counsel and representatives of Mr. Cronise had fully one-half of the time before the Committee, if not more. All that we asked from them was that no delay should postpone the case until the adjournment of the Legislature. Before I first went to Harrisburg I had seen Mrs. Cronise. I cannot say certain, but it is probable that I saw her twice. My object in conversing with Mrs. Cronise was to see if she had reached a final determination to have a divorce, and I found she had.

*Cross-examined.*—1. Q. Did you act professionally, and as a member of the bar, in the matter of the application to the Legislature, of which you have spoken ?

A. I did not. I was not practising as an attorney at the time, and had not taken out a license under the United States law to enable me to do so. I acted more on the fact that Mr. Hemphill and I had been friends than for any other reason.

2. Q. Did you act gratuitously, or for compensation paid or to be paid ?

A. There was no compensation agreed upon—no amount of compensation. I did expect from the beginning that I would not be put to any expense in the matter. Mr. Hemphill and Mr. Dallett paid me money—Mr. Hemphill first and afterwards Mr. Henry C. Dallett.

3. Q. In your conferences before the preparation of the memorial, or at any time before the hearing by the Committee of the House, were you informed that Titus F. Cronise was in California?

A. I was.

4. Q. You have spoken of two hearings at which you were present, one by the House Committee, the other by the Senate Committee; what length of time was consumed in such hearings by each of those Committees?

A. I have given it as my opinion that the House Committee sat from three to three and a half hours, and I judge that the Senate Committee were in session about one hour and a half.

5. Q. Do you know how long after the passage of the bill by the Senate the Governor signed it, and whether any representative of those who had appeared before the Committee were notified of the intended action of the Governor?

A. I reached Harrisburg, as I before stated, on Monday, and the bill passed, according to my recollection, in the early part of the night session on Friday, the 29th of April. Up to the time of the passage of the bill I had not seen the Governor, or made any effort to do so. Very soon after the passage of the bill, on the same evening, I went into the Executive Chamber and found the Governor there. When I appeared the Governor said to me, "I understand that you are up on some matter of legislation." I said, yes, and was about proceeding to state what it was, when he said, "I know all about it." He inquired whether the bill had passed the Senate. I said it had just passed. He asked me if I had it with me. I said, no. He said, "all right, I will sign it as soon as it comes." While I remained there the bill came, and he signed it in my presence,



within two minutes after it touched his table. I was the only person present connected with the bill, except Mr. Gillies Dallett, a first or second cousin of Mrs. Cronise.

*Re-examined.*—The ground upon which I mainly rested the case before the Committees was this : That Mr. Cronise, by his fraudulent practices in business, rendering himself liable to criminal accusation, conviction and imprisonment, found it necessary to abscond, and had thereby made cohabitation impossible; and that the memorialist, although not within the letter of the statute that gives the courts jurisdiction of the case, was within the humanities of the statute as much as though the express power was given to the courts to decree a divorce. That Mr. Cronise had been compelled to choose between imprisonment for two years and desertion of his wife. That it was not required of any woman to follow a husband who had been compelled to leave her by reason of criminal practices, for the purpose of seeking cohabitation with her husband. That it was as complete a desertion on the part of the husband as though it had been willful and malicious, under the wording of the statute. I have had experience in telegraphing to California. My experience is, that upon sending a dispatch from Washington to San Francisco, Cal., on any one day, you might expect an answer on the morning of the second day following.

JNO. HICKMAN.

Sworn to and subscribed before me on }  
this 19th day of January, 1865. }

GEO. BULL, *Examiner.*

Adjourned to meet on Saturday, January 21, 1865, at 12 o'clock, M.

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Now, to wit: Saturday, January 21, 1865, met pursuant to adjournment. Present, Mr. WHARTON for the Complainant, and Mr. PORTER for the Respondents.

Thomas Cochran, a witness produced, sworn and examined, on the part of the respondents, says:

I am a member of the Legislature, and was in the session of 1864. I had charge of the Divorce Bill of Cronise v. Cronise, in the House of Representatives. The petition was first sent to me, and I observed there was no bill with it, and drew the bill myself. The order of bills in place coming first after I had received the petition, I first read the bill in place. This was on March the 16th, 1864. On the first day after, when the order of petitions came, which was March 21st, following, I presented the memorial of Mrs. Cronise, which was referred to the Committee on Divorces. On the 30th of March, Mr. Long reported the bill from the Committee of Divorces as committed. About that time, I received a note from Mr. Henry M. Phillips, stating that he was counsel for Mr. Cronise, and, as such, he desired to present facts on their side of the case. He also stated that he wanted to see me at the adjournment over. On the following Sunday, Mr. Phillips called on me in Philadelphia. He desired a hearing before the Committee, and he also desired that Mr. Cronise might be sent for or written to in California. I stated to him that to delay it until that time would be a denial of the petitioners right of application to the present Legislature, but we would give them every opportunity of presenting their defence; so that the bill might come before the House before the adjournment; and that, having charge of the bill, I would consent that the bill should be referred back to the Committee on Divorces. On the 11th of April, following, Mr. Bergwin moved that the bill be recommitted, which was done. The bill was recommitted, and the Committee had agreed to report it affirmatively, and on April 23d, being a day when bills could be brought up on call, I moved to discharge the Committee, and the bill was taken up. It was passed on that day. The ayes were 51, the nays were 16. The bill then, of course, passed the House, and was sent to the Senate. The Journal of the House shows that the bill was returned, with the Governor's approval, on the 29th of April, following. I had no interviews with Mrs. Cronise before the time I brought the bill up, but I had during its pendency—one. I was first spoken to by Mr. Hemphill, afterwards by Mr. Henry C. Dallett. I was



then called on in Harrisburg by Mr. Cronise, of New York. He stated that Mrs. Cronise did not desire a divorce. In consequence of that I had an interview with her, to ascertain the truth of that statement. Mrs. Cronise expressed great surprise that they should make such a statement as that, and said that the application was on her behalf, at her suggestion, and with her desire. That he had forfeited her respect and confidence, and that she would not live with him again, whether the application was successful or otherwise. This was during the pendency of the bill. It passed the House with great deliberation. It came up on Saturday, as I have before stated, and, when it first came up, Mr. Bergwin made a lengthy written speech against it. He presented every view of the case that the defence admitted of. I arose to advocate the bill, but finding the members restive, and desiring a vote upon it, I sat down.

*Cross-examined.*—I think I have not preserved Mr. Phillips' letter, but I will look for it, and, if I find it, I will present it.

THOMAS COCHRAN.

Sworn to and subscribed before me this twenty- }  
first day of January, A. D., 1865. }

GEORGE BULL, *Examiner.*

Adjourned to meet on Thursday, 26th January, 1865, at 4 o'clock, P. M.

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Now, to wit: Thursday, 26th January, 1865, met pursuant to adjournment. Present, Mr. DRAYTON for the Complainant, and Messrs. PORTER and HEMPHILL for the Respondents.

Isaac H. O'Hara, a witness produced, sworn and examined, on the part of the Respondents, says:

I was a member of the House of Representatives last year, and a member of the Committee on Divorces. I was present when the Cronise case came before the Committee. The first I ever heard of the Cronise case was a letter I received about

the 3d of March, 1864, from Philadelphia, mentioning, as I was on the Committee of Divorces, that if the said case should come up I should advise them of it. The bill was introduced on or about the 16th of March, and referred to the Committee. The bill was reported to the House from the Committee on the 30th of March. I voted in the Committee against reporting it, because the defendant had not been represented. On or about the 11th of April, the House referred it back to the Committee, in consequence of its being stated in the House that Mr. Cronise, complainant in this case, had not been heard. The case was heard at considerable length in the Committee. A whole evening was devoted to it, running into the middle of the night. I don't remember the date. It was heard at greater length than any case we had before us last winter. Both parties were represented by counsel. The bill was taken up in the House on or about the 23d of April, and passed. I saw no evidence of haste in passing this case, but quite the contrary. There was more consideration given that case than any other that was before the Committee. My memory is not clear about a vote being taken in the Committee. I voted in the House in favor of the bill. If there was a vote in the Committee, it must have been in favor of reporting the bill, because there was a majority in favor. If a vote had been taken, I should have voted in favor of reporting the bill. The Chairman, Mr. Bergwin, was opposed to reporting the bill. I am entirely at a loss to remember the final action of the Committee in regard to reporting the bill, but I am confident there was a majority in favor of reporting the bill. At the meeting of the Committee, when we considered the case at such length, there were several members of the Senate Judiciary Committee present. Mr. Turrell, Dr. Worthington, and I think one or two other Senators, were present. Lengthy affidavits, and some private letters from the parties, were read—private letters from Mr. Cronise.

1. Q. Who wrote to you the letter mentioned in the first part of your testimony?

A. The Hon. Henry D. Moore, and I gave him the information he desired when the case came before the Committee.



*Cross-examined.*—I have the letter in my possession, and can produce it if necessary. It was Mr. Weil who appeared on the part of Mr. Cronise, before the Committee. I understood him to say he represented Mr. Cronise, the defendant, in that case. The grounds on which the Committee decided to report were: 1st. That his absence was not a voluntary desertion of his wife, and that the Courts, therefore, had not jurisdiction. 2d. That, owing to his having done that which would prevent his returning, it amounted to a desertion in fact, as much as it would if it had been voluntary. The ground on which Mr. Weil opposed the bill, in Committee, was that Mr. Cronise was not present. I remember now distinctly that this was his ground of opposition, because others answered that Mr. Cronise could not be present. I do not remember any other reasons he advanced.

I. H. O'HARA.

Sworn to and subscribed before me this twenty- }  
 sixth day of January, A. D., 1865. }

GEORGE BULL, *Examiner*.

The respondents gave in evidence the Journals of the House of Representatives, showing that, on March 16th, Mr. Cochran read in place the act to annul the marriage contract between Titus F. Cronise and Estellina Cronise.

March 21st, a memorial of Mrs. Cronise, was presented.

March 30th, Mr. Long, from the Committee on Divorces, reported the bill.

April 11th, the bill was recommitted to the Committee on Divorces.

April 23d, the Committee was discharged from the further consideration of the bill, and it passed by the following vote:

YEAS.—Messrs. Alexander, (Centre,) Alleman, Balsback, Barger, Barnett, Beck, Bowman, (Lancaster,) Cochran, (Erie,) Cochran, (Philadelphia,) Denniston, Ellis, Foster, Gilbert, Glass, Graber, Hakes, Haslett, Hopkins, Huston, Jackson, Josephs, Kelley, Kerns, (Philadelphia,) Lee, Lilley, McClellan, McKee, M'Manus, Mayer, Missemmer, Musselman, Noyes, O'Hara, Er-

wig, Pancoast, Patton, Quiggley, Rex, Rice, Schofield, Sharpe, Slack, Smith, (Philadelphia,) Stanbarger, Sutphin, Walsh, Watt, Watson, Weaver, Wimley and Johnson, Speaker—51.

NAYS.—Messrs. Billingsfelt, Brown, Bergwin, Henry, Heron, Hill, Koonce, Long, McMurtrie, Olmstead, Pershing, Reed, Smith, (Chester,) Weiser, Wells and White—16.

April 29th, the Clerk of the Senate returned the bill to the House.

May 2d, the Committee to Compare Bills reported that, on the 29th of April, they had presented this bill to the Governor for his approbation.

On the 4th of May, a message was received from the Governor informing the House that, on the 29th of April, he had approved this bill.

The respondents, also, give in evidence the Journal of the Senate, showing that, on the 23d of April, the Clerk of the House presented this bill to the Senate for concurrence.

April 27th, Mr. Clymer, from the Committee on the Judiciary, reported the bill to the Senate, without amendment.

April 29th the bill was passed by the Senate by the following vote :

YEAS.—Messrs. Champneys, Clymer, Cornell, Fleming, Lamberton, Latta, Lowry, McCandless, Nichols, Ridgway, Smith, Stark, Stein, St. Clair, Farrel, Wilson and Worthington—17.

NAYS.—Messrs. Johnson, Rensey, McSherry and Penny, Speaker—4.

April 30th, the Committee to Compare Bills reported that, on the 29th of April, they had presented this bill to the Governor for his approbation.

On the 4th of May, a message was received by the Senate from the Governor, informing the Senate that, on the 29th of April, he had approved this bill.

Adjourned to meet on Thursday, 2d February, 1865, at 4, P. M.



Now, to wit: Thursday, 2d February, 1865, no meeting was held, and a further adjournment had until Saturday, February 4th, 1865, at 12 o'clock, M.

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Now, to wit: Saturday, 4th February, 1865, met pursuant to adjournment. Present, Messrs. WHARTON and DRAYTON for the Complainant, and WM. A. PORTER, Esq., and Mr. HEMPHILL, for the Respondents.

Hon. Heister Clymer, a witness produced, sworn and examined, on the part of the Respondents, says:

I am now a member of the Senate of Pennsylvania, and have been since January, 1861. I was a member of the Judiciary Committee of the Senate, during the session of 1864. The Committee was composed of Mr. Johnson, of Lycoming, who was chairman; Judge Champneys, of Lancaster; Mr. Turrell, of Susquehanna, present speaker of the Senate; Mr. Fleming, of Dauphin, and myself. I remember that the Cronise divorce case was before the Committee. My recollection is that it was the last week of April that the bill was reported from the House. It was referred by the Speaker to the Judiciary Committee, and a special meeting of the Committee ordered for its consideration. The Committee met sometime on an afternoon. I don't recollect precisely the time. All the members were present, and the parties to the divorce were represented. Mr. Hickman was there on the part of the petitioner, and a stranger, whose name I did not then know, representing the respondent. He was asked his name, but declined giving it, by saying he was a friend of Mr. Cronise—I have since learned that he was Mr. Myers. The evidence on the part of the petitioner was read by Mr. Hickman, as I recollect it, and my recollection is that a letter, written by a brother of Mr. Cronise, the respondent, was read by Mr. Myers, and I think a letter or letters from the respondent himself. Mr. Myers, also, made representations, urging chiefly Mr. Cronise's absence

from the State. After this, my recollection is that Mr. Hickman presented the case of the petitioner fully. The Committee listened to both sides patiently and carefully. We must have spent two hours or more in the examination of the case. It was more time than the Committee have devoted to any similar case since I have been connected with it. I have been a member of the Judiciary Committee since 1862. After the case had been heard, and the parties had withdrawn, the question was discussed in the Committee, and the usual motion to report the bill as committed was made. The motion prevailed with but one dissenting voice—that of Mr. Johnson, Chairman of the Committee. It was unanimously considered by the Committee that the Courts had not jurisdiction of the case, Mr. Johnson, the dissenting member of the Committee, never having, so far as I recollect, assigned that objection either in the Committee or on the floor of the Senate. Mr. Hickman, in his argument before the Committee, directed his speech particularly to that view of the case, arguing that the Courts had not jurisdiction. I reported the bill to the Senate, I think, the next morning. Mr. Johnson handed me the bill, with the request that I would report it, and I did so, I think, the next morning. I think it passed the Senate the same day. I may not be accurate as to time, but the Journal of the Senate will correct me if I am in error. We have no written rules in relation to the action of the Judiciary Committee in considering divorce cases. They have none in the other House that I know of.

*Cross-examined.*—The letter of Mr. Cronise's brother, I think, was addressed either to the Committee of the Senate or of the House, I am not certain which. That was something like a memorial. The letters of Mr. Titus F. Cronise were addressed to other persons, possibly to his wife, but certainly to his brother. Mr. Johnson, in opposing the bill, assigned as a reason that Mr. Cronise should have time to answer what was alleged. In committee, Mr. Johnson appeared to have considerable feeling on the subject. On the floor of the Senate



he said nothing. I am not aware that any steps were taken by the Committee to give Mr. Cronise notice.

HEISTER CLYMER.

Sworn to and subscribed before me this fourth }  
day of February, 1865. }

GEORGE BULL, *Examiner*.

Adjourned to meet on Thursday, 9th February, 1865, at 4 o'clock, P. M.

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Now, to wit: Thursday, 9th February, 1865, met pursuant to adjournment. Present, Mr. DRAYTON for Complainant, and Mr. PORTER for Respondents.

Hon. Henry D. Moore, a witness produced, sworn, and examined, on the part of the Respondents, says:

The first I heard of this divorce case was from Mr. J. S. Cronise. Not being able to find his correspondence, I am not able to say, positively, whether it was just before or just after the meeting of the Legislature, in 1864. I had letters from him from New York, and I afterwards saw him and had some conversation with him in Philadelphia. He said that he had reasons to believe that proceedings would be taken in the Legislature looking to the divorce of his brother from his wife, and requested me to inform him when any such proceedings should be taken in the Legislature. I advised him afterwards. This was immediately after the bill was presented to the House and referred to the Committee. It was soon after receiving a letter from Mr. O'Hara (witness shown paper marked "F" says): this was the letter I received from Mr. O'Hara, and the endorsement upon it was my letter to Mr. J. S. Cronise.

HENRY D. MOORE.

Sworn to and subscribed before me this ninth }  
day of February, A. D., 1865. }

GEORGE BULL, *Examiner*.

At a meeting held on the 3d day of April, 1865, there were present Mr. DRAYTON, for the complainant, and Mr. PORTER, for the respondents.

The respondents offered in evidence the following affidavit of Henry C. Dallett.

(The complainant objected, on the grounds, 1st, That it is irrelevant to the issue; 2d, That it is the affidavit of a party to the record.)

CITY OF PHILADELPHIA, ss.

H. C. Dallett, being affirmed, declares and says, that his attention has been recently called to statements made by Mr. J. S. Cronise, in Exhibit marked (D), which he had not seen until printed in the paper book, the first of which is found on page 39, and commences thus: "It is also true that he gave to Mr. Dallett," &c., see pages 39 and 40. In answer to this the affirmant says, that he does not know whether or not said T. F. Cronise gave him nearly all the assets he possessed, but he does know that all the assets received by the affirmant were used by him to settle the claims which gave said T. F. Cronise most trouble, and, being so used, saved him from the importunities of creditors; and every cent of assets received by the affirmant was used for the benefit of said T. F. Cronise, and they have never been of any value whatever to the affirmant. The books and papers spoken of as having been left with the affirmant, were sent to his house (without any agency of the affirmant) boxed up. The affirmant has never opened them nor disturbed them, and he has since been informed that the said T. F. Cronise had sent a portion of his books to another house. Mr. Louis Dietrich refused to pay the note held by the affirmant against him, but was sued therefor, and judgment obtained against him, which was eventually compromised by a part payment, made long after T. F. Cronise had left the state, and indeed the note was not due till some months after his departure.

At the meeting at the Franklin House, spoken of by said J. S. Cronise, page 38, the affirmant was present, and T. F. Cronise stated that he had a temporary embarrassment, and



solicited a loan of \$8.000, or \$10.000. His brother, Jacob S. Cronise, said he had examined his books and papers and found they were all right, and that the affirmant could lend him the money with perfect safety, and that if affirmant would furnish \$5.000, he would also furnish \$3.000 or \$5.000 more. Upon this affirmant loaned him \$5,000, but whether said brother did likewise he knows not. Of this sum affirmant received \$1,500. The balance constitutes part of the debt still due him, which is more particularly mentioned in his affidavit, which was sent to Harrisburg, and which has been given in evidence in this proceeding by the complainant.

In the said Exhibit, marked (D,) there are other statements made, injurious to the affirmant, which he believes to be entirely incorrect, but he does not deem it necessary for the protection of his character to take any further notice of them in the present affidavit.

HENRY C. DALLETT.

Affirmed and subscribed, this 31st day }  
of March, 1865, before me. }

GEO. BULL, *Examiner*.

Respondents closed here. All of which is respectfully submitted by

GEORGE BULL, *Examiner*.

